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[Originating in the Committee on Health and Human Resources]

Whereas, With the escalating cost of health care and an ever growing variety of health care choices, West Virginia's patients deserve to know who provides their care and exactly what their providers are qualified and licensed to perform; and

Whereas, There are widespread differences regarding the training and qualifications required to earn the professional degrees described, and these differences often concern the training and skills necessary to correctly detect, diagnose, prevent and

1 treat serious health care conditions; and

2 Whereas, Studies conducted in 2008 and 2010 found that
3 patients are confused about the health care education and training
4 among different types of health care professionals; and

5 Whereas, Confusion among patients about who is and who is not
6 qualified to provide specific patient care undermines the
7 reliability of the health care system and can put patients at risk;
8 and

9 Whereas, There is a compelling state interest in patients
10 being promptly and clearly informed of the training and
11 qualifications of the health care practitioners who provide health
12 care services; and

13 Whereas, There is a compelling state interest in the public
14 being protected from potentially misleading and deceptive health
15 care advertising that might cause patients to have undue
16 expectations regarding their treatment and outcome; and

17 Whereas, Confusing and misleading ads undermine the
18 reliability of our health care system, and patients do not have
19 confidence that health care professionals advertise and provide
20 services for which they are properly trained; and

21 Whereas, A recent survey revealed that 96 percent of the
22 public believes that health care providers should be required to
23 display their level of training and legal licensure; and

24 Whereas, There is compelling state interest to require health

1 care providers to clearly and honestly state their level of
2 training, licensing and what procedures they may legally perform in
3 all advertising and marketing materials; therefore, be it

4 *Resolved by the Legislature of West Virginia:*

5 That the Joint Committee on Government and Finance is
6 requested to conduct a study on ensuring transparency regarding the
7 education, training and licensure of health care providers; and, be
8 it

9 *Further Resolved,* That the Joint Committee on Government and
10 Finance is hereby requested to study whether to require all health
11 care professionals wear a name tag during all patient encounters
12 that clearly identifies the type of license they hold; and, be it

13 *Further resolved,* That the Joint Committee on Government and
14 Finance study whether to require health care professionals to
15 display their education, training and licensure in their offices;
16 and, be it

17 *Further Resolved,* That the Joint Committee on Government and
18 Finance study whether to regulate any advertisements or
19 professional websites health care providers may have that promote
20 services beyond what the health care provider is legally permitted
21 to provide; and, be it

22 *Further Resolved,* That the Joint Committee on Government and
23 Finance report to the Legislature on the first day of the regular
24 session, 2012, on its findings, conclusions and recommendations,

1 together with drafts of legislation necessary to effectuate its
2 recommendations; and, be it

3 *Further Resolved*, That the expense necessary to conduct this
4 study, to prepare a report and to draft necessary legislation be
5 paid from legislative appropriations to the Joint Committee on
6 Government and Finance.